



City of Carmel

CARMEL PLAN COMMISSION SUBDIVISION COMMITTEE MINUTES

THURSDAY, NOVEMBER 2, 2006

**LOCATION: CAUCUS ROOMS
CARMEL CITY HALL
ONE CIVIC SQUARE
CARMEL, IN 46032**

**TIME: 6:00 P.M.
DOORS OPEN AT 5:30 P.M.**

Those Present:

Representing the Committee:

Dan Dutcher
Wayne Haney
Kevin Heber
Rick Ripma

Representing the Department:

Angie Conn

Of Counsel:

John Molitor

Rick Ripma called the meeting to order at approximately 6:10p.m.

The Subdivision Committee met to consider the following items:

- 1. Docket No. 06010005 Z: Shelborne Property PUD – CONT. TO DEC 5TH**
The applicant seeks to rezone 20 acres from S1/Residential to PUD/Planned Unit Development for the purpose of developing single-family residences.
The site is located on the west side of Shelborne Road, north of 121st Street.
Filed by Charles Frankenberger of Nelson and Frankenberger for Indiana Land Development Co.

2. **Docket No. 06010001 Z: Monon Townes PUD – CONT. TO DEC. 5TH**
The applicant seeks to rezone 6.81 acres from R1/Residential to PUD/Planned Unit Development for the purpose of creating 65 townhomes.
The site is located at 1001 Rohrer Road.
Filed by Ann M. Walker for Pulte Homes of Indiana, LLC
3. **Docket No. 06020017 CPA: 96th & Westfield Neighborhood Plan - WITHDRAWN**
The applicant seeks to amend the Carmel/Clay Comprehensive Plan in order to incorporate the 96th & Westfield Neighborhood Plan.
Filed by the Carmel Department of Community Services.
4. **Docket No. 06050020 PP: Clay Creek – CONT. TO DEC. 5TH**
The applicant seeks to plat 30 lots on 29.971 acres.
The site is located on Hoover Road north of 116th Street and is zoned S1.
The applicant seeks the following waivers for the proposed plat:
06050022 SW: SCO Chapter 6.05.07 Orientation of Home – request to allow dwellings to face internal street
06050023 SW: SCO Chapter 7.05.07 Clearing of greater than 15% of mature woodlands.
Filed by Charlie Frankenberger for MHE Development Co. LLC.
5. **Docket No. 06080007 PP: Clay Estates -CONT. DEC. 5TH**
The applicant seeks to plat 4 lots on 2.84 acres.
The applicant seeks the following waivers:
06080008 SW: SCO Chapter 6.03.20 Private Streets.
06080023 SW: SCO Chapter 06.03.22 Accel. / Decel, Passing Lanes: request to waive requirement of construction acceleration, deceleration and passing lanes.
06080024 SW: SCO Chapter 08.09.01: Alternative Transportation: request to waive requirement of internal sidewalks.
06080025 SW: SCO Chapter 08.09.02: Alt. Transportation: request to waive requirement of perimeter path.
The site is located on 126th Street between Spring Violet Place and Sugar Cay Court, and is zoned S1 and S2.
Filed by Gary Murray of The Schneider Corporation for Robert E. Stein of the Stein Investment Group.
6. **Docket No. 06080034 Rezone/06080035 ADLS: Courtyards at Carmel Creek – CONT. TO DEC. 5TH**
The applicant seeks rezoning and ADLS approval for a 7.2-acre parcel, currently zoned R1, requested to be rezoned to the PUD classification to provide for residential development.
The site is located at 1225 East 116th Street.
Filed by Charlie Frankenberger of Nelson and Frankenberger for ME Development, Inc.

7. Docket No. 06080036 Rezone: Park Place PUD.

The applicant seeks rezoning approval for a 19.55-acre parcel, currently zoned R1, requested to be rezoned to the PUD classification to provide for active adult residential development.

The site is located north of 116th Street, on the east side of Guilford Road.

Filed by James Shinaver of Nelson and Frankenberger for Guilford Partners LLC

Present for the Petitioner: Jim Shinaver with Nelson and Frankenberger representing the petitioner and Wayne Beverage with Guilford Partners, LLC.

Petitioner's Presentation: Jim Shinaver introduced the project. He said that he would be discussing the Department Report issues. He said that Staff does support the Rezone application of the parcel for the use that the petitioner is seeking. He said that the Department Report indicates that the request is compliant with the Comprehensive Plan and is in character with the surrounding residential uses. He said that the petitioner believes that this is a transitional use between what is going on in the general area. He said that the petitioner had reached an agreement with the Urban Forester, Scott Brewer about the landscape language and requirements that he wants to see in the ordinance. He said that all parties agreed to the final draft of the landscape language. He said that the final landscape language would be included in the updated copy of the PUD, which would be distributed to the entire Plan Commission before the final Plan Commission hearing on the project. He said that the same holds true with the Engineering report. He said that Rich Kelly had responded to the comments the petitioner had received from Gary Duncan and that they had received an email this morning indicating that Gary Duncan was satisfied with those responses. He said that Wayne Beverage had emailed Matt Griffin last week a statement of the wetlands analysis. He said that Guilford Partners engaged Williams Creek Consulting to perform a wetlands analysis for the site and that their findings were sent to the US Army Corp of Engineers. He said that a determination letter was received by the Corp confirming Williams Creek's findings and establishing the portion of the site, which would remain under the Corp. He said that with that letter in hand, Williams Creek and the petitioners have received an acceptance letter from IDEM regarding the status of wetlands on the site. He said that there are approximately 1.2 acres of wetlands that have been identified on the site. He said that at this stage in the Rezone a lot of work had already been done to identify and determine the mitigation plan for that. He said that the next step is to determine what sort of mitigation may occur. He said that may be to accommodate all or a portion of the wetlands area on the site or to provide some offsite mitigation somewhere in Hamilton County. He said that there were currently a number of wetland mitigation sites in Hamilton County if it was decided to transfer it over to that location. He said that in the DP/ADLS stage, the final determination on the mitigation plan would be made at that point. He said that Wayne Beverage would be addressing the site plan issues and changes. Jim Shinaver handed out revised site and landscaping plans.

Wayne Beverage said that most of the things on the site plan have been seen before. He said that they have made a number of changes based upon suggestions and input that they had received recently. He said that they were asked specifically to provide some garden plots for the potential residents. He said that they were asked to be sure that there was a sidewalk connector. He said that Scott Brewer had requested some changes in the buffering on the Southern end. He said that those changes have been made and that they had gone over them with Scott and that he

was happy with them. He said that they had talked about some sort of protection for the Telamon truck dock and turn around area adjacent to the site. He said that the Staff had suggested that the petitioners add some plant material or bush material that would be very thick and not easily penetrated.

David Klabbaugh added that the bushes are Viburnum, which is a European Cranberry bush. He said that it would be enough to provide a barrier both physically and visually.

Wayne Beverage said that they had made sure to include sidewalks around the entire perimeter of the site. He said that they wanted to be sure to incorporate a lot of sidewalks because the residents would really enjoy walking.

Jim Shinaver pointed out that they had added a walkway to the garden plots.

Wayne Beverage said that the cooling tower was going to be approximately 14-16 feet tall. He said that there would be a solid wall around it and that they would use sound attenuating equipment and they would use a starting mechanism that is a slow start, so it wouldn't kick on full speed and potentially scare people.

Jim Shinaver said that the next item is the dedication of the path or the easement for future construction that would ultimately connect to Carmel Drive via Chase Court. He said that the path request was being made, in their understanding, to provide future connection to the Monon Trail. He discussed the possible routes available to access the Monon from the site and pointed them out on the aerial photograph.

Wayne Beverage discussed the possible Monon connections if they were to dedicate the easement that the City asked for. He said that it was certainly much closer to access the Monon by way of Guilford. He said that they would question how many people would actually use the other path to access the Monon, when they could use the Guilford connection. He said that they were in favor of the connection to the Monon, but that they were concerned about opening up their parking lot to the general public and pedestrian traffic.

Jim Shinaver noted that he had brought several sample floorplans of what they anticipated the independent living units to be like. He said that it has been his experience that interior, wall-to-wall design issues were not typically discussed at the Rezone stage and weren't even really discussed too much in the DP/ADLS phase. He said that the Department Report noted that the petitioner's should look at the possibility of breaking up the roofline a little more. He said that the petitioners had met with Les Olds and had received a lot of feedback about the building design and the setbacks. He said that the petitioners had implemented them into the building design itself. He said that, although it may seem like it has been described as a long and massive structure, the petitioners believe that the appearance of the building has been broken up and that it adds life to the design of the structures. He said that there were bay windows, roofline breaks, balcony treatments and different breaks in the building materials. He said that he wanted to discuss the bicycle parking and bike rack availability. He said that they understand that that is an important issue, but that this type of use is much different than what you would say a residential apartment complex would be. He said that it is a retirement community and that the age and demographic of users most likely would not be using bicycles as much as people who lived in a

typical residential apartment complex. He said that the requirement, according to Karyn Ryg, would be 1 bicycle parking space for every three dwelling units, which would total out to sixty-five bicycle parking spaces. He said that the maximum number of bicycle parking spaces to be required on a site is forty. He said that they bring this up because Wayne Beverage has not been able to recall a single situation where he has been asked by a municipality to install bicycle parking spaces. He said that the petitioners were hoping that it would be acceptable by the Committee for them to install six bicycle parking spaces.

Dan Dutcher clarified that the maximum bicycle parking space requirement for the development would be forty spaces. He said that he doesn't really know what the right number is but that the petitioner does need to factor in that there would be family members coming into the site for visits.

Wayne Beverage said that he is all for it, but that they just don't know how many spaces to provide. He said that all they can do is look back historically and see what has been in their past developments. He said that what he doesn't want is a parking garage full of bicycle parking, when the space could be used for something else for the residents.

Kevin Heber said that what he would suggest is that the petitioners put two or three racks around the site. He said that Clay Terrace is a prime example of what can happen. He said that he could only find one bicycle parking rack at Clay Terrace. He said that no one is going to park their bike and walk where they want to go, so then, you end up with bikes all over the place. He said that he would suggest that the petitioners distribute them around the site. He clarified that a "rack" meant 4-6 spaces. He said that Karyn Ryg was better at specking parking out, so he said that he would have to defer to Karyn Ryg's judgment on that. He said that he would suggest multiple locations, preferably 3-4. He noted that there were four parking lots on the site. He said that he would suggest a minimum of three or one at each parking lot seems to make sense to him. He said that seemed like a fair compromise to him.

Wayne Beverage said that if there were going to be a higher usage, then they would be more inclined to put more bicycle racks in. He said that he just doesn't want to put them out there for them to never be used. He said that the individual garages could also accommodate bicycles as well.

Rick Ripma called for public comments.

Lois Springer, who resides at 603 Kinzer Avenue, said that she didn't live in the immediate area of the proposed development, but she said that she was concerned about it. She said that she realizes that her information is limited. She said that this project was discussed at the October 17, 2006 Plan Commission meeting and that she was present for that meeting, but that she had to leave before she was able to speak at that meeting. She said that she had given Ramona Hancock a letter to give to the Plan Commission members. She said that she had explained her thoughts and concerns in that letter. She said that the proposed development site has been a wildlife habitat in Carmel for many years. She said that there are Hawks and Herons as well as other birds and animals that have that area as their habitat. She said that State Officials have told her that there are actually several wetlands that comprise the area East of Guilford. She said that

some of the wetlands must drain into the creek that runs through the property. She said that wetlands are valuable for natural ground water filtration and the water run-off that they provide. She said that they were known for providing a habitat for birds, butterflies, and other wildlife. She said that she is here to ask the developers and Committee members to seriously consider scaling back this development in order to preserve some of the wetlands and the habitats that they provide. She said that it is possible to have moderate development and still preserve significant portions of the wetland area. She said that she would like to call everyone's attention to a video produced in cooperation with the Carmel organization "Citizen's For Green Space". She said that the video, titled Building with Nature, shows how two builders committed to conservation were able to develop the properties while still preserving the natural environment. She said that the video features the Williamson Run community built by C.P. Morgan companies and the Bradford Ridge Apartments in Bloomington built by Buckingham Companies. She said that the award-winning projects are excellent examples of how developers can work in harmony with nature and not destroy it. She said that she could make the video available to anyone who might want to view it. She said that she realizes that some people might try to say that Central Park is supposed to be an area for natural wildlife. She said that it would be sometime before the lagoon is developed enough to be able to support a wetlands habitat. She said that there would be a lot of people using Central Park making it difficult for some forms of wildlife to use it as a habitat. She said that the area of the development along Guilford Road has very few natural wetland and forested areas left. She said that it is beautiful and that we should try to save as much of the area as possible. She said that she hoped that the petitioners and the Plan Commission members would consider these ideas so that this project could be a win-win project. She said that the developers could win by being able to build an attractive and unique assisted living facility bordered by a beautiful natural setting. She said that residents of the facility would enjoy seeing the natural beauty of the area. She said that the wildlife could continue to use the area as a habitat. She said that they would also win because a significant portion of their habitat would be preserved. She said that the citizens of Carmel would win because a functional wetland area of Carmel would have been preserved in its natural setting. She said that she is not alone in her thoughts and feelings. She said that much of this beautiful area could be preserved.

Gary Blose, representing Telamon Corporation of 1000 E. 116th Street. He said that they also had attended the meeting on October 17, 2006. He said that their concern was very brief. He said that they were concerned about the residents who might come over onto the Telamon property. He said that it is very much a warehouse type of environment with a lot of truck traffic. He said that he would just want to make sure that they would not be hurt or injured. He said that he would like to be sure that they use the public walkways and not get onto the Telamon property. He said that Telamon had spoken with Wayne Beverage and Jim Shinaver about the possibility of a more permanent boundary, such as a wall or a fence. He said that they had not been contacted since. He said that Telamon had wanted a fence or a wall. He said that it appears that the petitioners are going to install bushes instead. He said that he just wanted to make an effort to be sure that everyone heard the concern of Telamon.

Department Report: **Angie Conn** said that the petitioner has addressed all of the issues noted in the Department Report. She said that the Department recommends that the Committee forward this item back to the full Plan Commission with a positive recommendation when all of the outstanding comments and concerns have been addressed and especially the wetlands issue.

Dan Dutcher said that he had a couple of questions in the ordinance itself. He said that his thoughts are that he thinks that the City and the petitioner is better off trying to funnel people down Guilford and 116th Street in terms of Monon access. He said that he doesn't think it would be a good idea to have people scattering about the adjacent cul-de-sacs. He said that he just thinks that it is a better approach from an aesthetic and safety standpoint. He said that on pg. 3 of the ordinance book, he was wondering about a temporary on-site sales office/trailer. He said that he would like the petitioners to define temporary. He asked for the Department's definition of "temporary" that would set a realistic timeframe. He said that he would like to see the satellite dishes section tightened up a little bit. He said that the petitioners should add a maximum size requirement. He said that on the top of page four, he saw that "Hearty Plank and Hearty Board siding" in the definition of both primary building materials and secondary building materials. He said that it seems that it shouldn't belong in both places.

Jim Shinaver said that the last building elevation presented calls out specific building materials. He said that the primary building material was the rock-faced masonry veneer. He said that they could include the primary building material being masonry, stone, and cast stone, etc. He said that the only "Hearty Board" material was around the windows. He said that they would take the "Hearty Board and Hearty Plank" out of the primary category and leave it in the secondary building materials category.

Rick Ripma suggested that the petitioners change the language of the PUD to omit the brand names of the siding and just use a generic name. He said that Carol Schleif also likes to see that they include that a certified installer will install the siding.

Jim Shinaver said that he would change the name of the siding product to fiber cement fiberboard and that he would add language that a certified installer shall install it.

Angie Conn added that Ch. 25 of the Carmel Zoning Ordinance called "temporary" in terms of a sales office or construction office for eighteen months with the possibility of getting a six-month extension granted. She clarified that the petitioners could have two trailers at one time.

Wayne Beverage said that the trailer would be gone when the building was there because they would prefer to sell out of a unit.

Rick Ripma clarified that the residents will park underneath the building. He clarified with the petitioners that the parking would be secured by some sort of arm or gate.

Wayne Beverage said that people would need some sort of pass to park in the garage area underneath the building. He said that residents would have one space.

Wayne Haney clarified that the independent living part of the structure would be three stories and that the commons area would have two stories. He said that in terms of massing, the change

in height of the buildings would separate the massing and break it up quite a bit in terms of elevation. He clarified that all deliveries would be from the rear of the commons area.

Kevin Heber said that there is no sidewalk on that side of Guilford, so he thought at some point a crosswalk would need to be installed.

Discussion ensued regarding the future of Guilford Road and what could possibly be part of the expansion of Guilford Road.

Kevin Heber asked if it was going to be necessary to have so many roadways. He suggested eliminating the pavement for the “service entry” and combining the drives in an effort to save trees.

Discussion ensued regarding circulation of service trucks on the site.

Kevin Heber said that the petitioners could make it work and that it was just a matter of distance. He said that where the service drive is was where a majority of the trees were on the site. He said that it was really only a few extra yards and that it would save the City trees and saves the petitioner the cost of having to put down the asphalt. He said that the sidewalks that butted up right against the roadways were a little bit dull. He suggested that the petitioners create more meandering in the path system within the site.

Dan Dutcher asked if it may be possible for the petitioners to bank the parking spots and keep some of the green space.

Wayne Beverage thinks that it could be possible. He said that he thinks that they may have seventeen more spaces than what was required.

Jim Shinaver said that part of the trouble was that they did not have construction plans yet because they were not at DP/ADLS phase, so they weren’t sure yet if they would be able to tweak some of the things the Committee was asking for or not.

Dan Dutcher said that he thinks that the Committee is throwing out issues that they would expect to see addressed when the project did come back.

Kevin Heber asked where the gardening equipment would be kept on the site.

Wayne Beverage said that they make some very attractive outdoor units and that they would probably have one of those on the site.

Jim Shinaver said that he believed that there was some additional landscaping that was put to buffer the Garden plots and that any accessory structure would have to have the same architectural features as the principle building.

Wayne Beverage said that they might attach it to the cooling tower structure. He said that they had not thought in that level of detail at this stage.

Rick Ripma asked about where the wetlands area was located within the site.

Wayne Beverage said that there was 1.2 acres and that it was spread throughout the site.

Rick Ripma clarified that the entire site was about 20 acres. He asked if it was the petitioner's preference to do the wetlands mitigation on site or to relocate it.

Wayne Beverage said that their initial reaction was to keep it on site, but that they weren't sure that they felt strongly either way. He said that there are certain rules and regulations and how you maintain that. He said that they could also relocate it to another site in Hamilton County. He said that they had received some suggestions from Scott Brewer and the Hamilton County Surveyor's office. He said that Rich Kelly's office talked about the possibility of incorporating it into the retention area with a shelf. He said that it is probably more economical to keep it on site.

Rick Ripma said that he would certainly prefer it onsite. He clarified that the path going out the back of the site had been eliminated. He said that he wasn't sure if it was better to do the Viburnum or a gate, but that he didn't feel like the Viburnum shown on the plans went down far enough. He said that it literally ends at the point where their parking lot ends. He said that the Viburnum needs to continue on to prevent access. He said that, as it is, it would still be pretty easy to access the Telamon parking area.

Wayne Beverage clarified with David Klabbaugh that the Viburnum did only go to the end of the parking area. He said that it probably did need to extend another 50 feet.

Rick Ripma said that the petitioners did need something to discourage the residents from going over there.

Wayne Haney said that you could create a discouraging natural landscaped barrier. He said that he felt that it would create help for the natural wildlife preservation, also. He said that it could just be a natural growth.

Dan Dutcher said that the motion will be on the rezoning only and that he felt like they had identified a lot of issues which could be addressed at DP/ADLS.

Dan Dutcher made formal motion to send docket number **06080036 Rezone: Park Place PUD back to the full Plan Commission** with a **favorable recommendation**.

Motion was seconded.

Motion was **APPROVED (4-0)**.

The meeting was adjourned at 7:03p.m.

Subdivision Committee Chair – Rick Ripma

Respectfully Submitted By: Laura Rouse-DeVore